

THIS PRINT COVERS CALENDAR ITEM NO.: 10.10

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Capital Programs & Construction

BRIEF DESCRIPTION:

Authorizing the Director of Transportation to execute Contract Modification No. 1 to Contract No. 1284, Glen Park Community Plan Implementation Project, with Azul Works, Inc., to increase the Contract amount by \$618,376, for a total Contract amount not to exceed \$1,843,250, and extend the Contract term by 481 days, for a total term of 571 days, all as a result of additional work, all as a result of additional work, unforeseen conditions and delays.

SUMMARY:

- In 2014, the SFMTA Board of Directors awarded Contract No. 1284, Glen Park Community Plan Implementation Project, to Azul Works, Inc. (Azul Works), in the amount of \$1,224,874, and for a term of 90 days.
- The work being performed under this contract included adding pedestrian bulb-outs, widening sidewalks, installing landscaping, repaving, restriping and traffic signal improvements to the Diamond/Bosworth intersection located at the Glen Park BART Station. Other significant work included: street markings, sewer improvements, a “Glen Park” entrance feature, and street lighting.
- Modification No. 1 increases the contract amount to \$1,843,250 and extends the Contract term by 481 days due to additional work, unforeseen conditions and delays

ENCLOSURES:

1. SFMTAB Resolution
2. Project Budget & Financial Plan
3. Contract Modification No. 1
4. Glen Park Community Plan Environmental Impact Report
http://sfmea.sfplanning.org/2005.1004E_FEIR1.pdf,
http://sfmea.sfplanning.org/2005.1004E_FEIR2.pdf
5. Glen Park Community Plan Environmental Impact Report Mitigation Monitoring and Reporting Program: http://sfmea.sfplanning.org/2005.1004E_MMRP.pdf

APPROVALS:

DATE

DIRECTOR _____

7/13/16

SECRETARY R. Boomer

7/13/16

ASSIGNED SFMTAB CALENDAR DATE: July 19, 2016

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PURPOSE

The purpose of this calendar item is to authorize the Director of Transportation to execute Contract Modification No. 1 to Contract No. 1284, Glen Park Community Plan Implementation Project, with Azul Works, Inc., to increase the contract amount by \$618,376, for a total contract amount not to exceed \$1,843,250, and extend the contract term by 481 days, for a total term of 571 days, all as a result of additional work, unforeseen conditions and delays.

GOAL

The Work to be performed under Contract No. 1284 will assist in the implementation of the following goals, objectives and initiatives in the SFMTA Strategic Plan:

Goal 2: Make transit, walking, bicycling, taxi, ridesharing & carsharing the preferred means of travel.

Objective 2.3 Increase use of all non-private auto modes.

Goal 3: Improve the environment and quality of life in San Francisco

Objective 3.2 Increase the transportation system's positive impact to the economy

Objective 3.3 Allocate capital resources effectively

Objective 3.4 Deliver services efficiently

DESCRIPTION

Background:

Flanked by the Glen Park BART Station at Bosworth Street and a flourishing commercial area along Diamond Street, this area has been steadily increasing with both pedestrian and vehicle traffic. The onramp to Hwy 280-S is a block away and, combined with existing Muni bus lines and commuter shuttles, pedestrians and bicyclists are being exposed to a growing amount of vehicles along a finite pedestrian area.

Due to the high volumes of pedestrians, transit vehicles, autos and employee shuttles that converge in the Glen Park neighborhood to access the BART station and commercial district, the Glen Park Community Improvement Plan, crafted by residents and merchants, developed a community vision for Glen Park. The Plan aims to make the area more pedestrian friendly and encourage more people to visit Glen Park Village as well as address the traffic concerns of their busiest areas.

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A Final Environmental Impact Report (FEIR) was certified for the 2010 Glen Park Community Plan (Community Plan) on November 10, 2011. The Glen Park Community Plan was adopted in February 2012, and includes policies for improving pedestrian safety and access to transit in and around Glen Park's busy "village" core.

On August 19, 2014, the SFMTA Board of Directors adopted Resolution No. 14-131, which awarded Contract No.1284, Glen Park Community Plan Implementation Project to Azul Works Contractors, Inc., in the amount of \$1,224,874, and for a term of 90 days.

The project expands on and develops the conceptual improvements contained in the plan FEIR to make improvements to the Diamond/Bosworth intersection located at the Glen Park BART Station by adding pedestrian bulb-outs to decrease pedestrian crosswalk times, traffic signal improvements to improve pedestrian crosswalk times, landscaping and brick sidewalk treatments to improve the aesthetics of the intersection, striping to improve pedestrian crosswalks, a left-turn traffic lane to improve traffic movements, and widening sidewalks to increase space at bus zones. Work performed under the contract included the following:

- Adding pedestrian bulb-outs to the corners.
- Widening and/or reconstructing sidewalks.
- Repaving the intersection.
- Adding a signalized left turn pocket on northbound and south bound Diamond Street.
- Adding a bus shelter on westbound Bosworth Street before the intersection.
- Upgrading the existing traffic signals.
- Restriping the intersection including crosswalks.
- Installing landscaping.
- Adding a "Glen Park" entrance feature.

SFMTA issued a Notice to Proceed for the work on October 20, 2014.

Contract Modification No. 1 (Additional Work, Unforeseen Conditions and Compensable Delays)

Contract Modification No. 1 is necessary to perform additional work to install concrete work at the BART plaza, make irrigation and landscaping changes, make traffic signals changes, and to reconstruct the SE and NE intersection corners sidewalk and curb ramps due to design errors. The Contract Modification also compensates the contractor for extra work due to unforeseen site conditions relating to side sewer laterals, obstructions with underground utilities, and removal of concrete and asphalt concrete. Further, this Contract Modification compensates the contractor for 245 days of unavoidable delays affecting the schedule—relating to delays by PG&E, changes to traffic signal and street lighting poles, community requests, and the additional work. Finally, the schedule was modified as a result of 236 days of non-compensable (concurrent) delays.

PUBLIC OUTREACH

SFMTA Public Outreach representatives have regularly attended the quarterly Glen Park Association (GPA) meetings starting in 2014 until the present regarding the project. Outreach met with several GPA Board members and their Transportation Committee outside of the quarterly meetings, and with the president of the Glen Park Merchants throughout the construction process. Outreach provides weekly updates to Supervisor's Wiener's office, GPA members, and the president of the Merchants. Other tactics used by Outreach throughout the project included updates and construction alerts posted to the project website and social media, briefings at GPA meetings, and informal on-site meetings with GPA members and neighborhood residents. There has been no public outreach regarding this contract modification.

ALTERNATIVES CONSIDERED

The alternative to the installation of the concrete work at the BART plaza would have been to have left the location in its original condition. The concrete work improves access to the BART station and will be partially reimbursed to the SFMTA by BART. Not making the irrigation and landscaping changes would have rendered the irrigation system unusable so no other alternative for this was considered. Not making the traffic signals changes would have still left the intersection operable, but were important to the local community. Reconstruction of the SE and NE intersection corners sidewalk and curb ramps was an important safety requirement, and no alternative was considered. Unforeseen site conditions had to be removed during construction in order to make way for the improvements, and no alternative was considered.

FUNDING IMPACT

Funding for this project is provided through Federal Transit Administration Funds, San Francisco Planning Funds, and Local Proposition K funds.

The budget and financial plan for this project is presented in Enclosure 2.

The cost of the contract modification and the additional staff time to administer it is estimated to, at the completion of final closeout of the project, have increased the project budget by \$1,100,000. The total project budget is now \$3,732,000.

ENVIRONMENTAL REVIEW

The proposed transportation improvements were evaluated in the Glen Park Community Plan Environmental Impact Report (EIR), certified by the San Francisco Planning Commission on November 10, 2011 (Case No. 2005.1004E)—under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Chapter 31 of the S. F. Administrative Code—as part of Motion No. 18490 adopting CEQA Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP).

Copies of the EIR, CEQA Findings, and MMRP are on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department at 1650 Mission Street in San Francisco, and are incorporated herein by reference.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

None.

The City Attorney's Office has reviewed this calendar item.

RECOMMENDATION

Staff recommends that the SFMTA Board of Directors authorize the Director of Transportation to execute Contract Modification No. 1 to Contract No. 1284, Glen Park Community Plan Implementation Project, with Azul Works Contractors, Inc., to increase the Contract amount by \$618,376, for a total Contract amount not to exceed \$1,843,250, and extend the Contract term by 245 days, for a total term of 335 days, all as a result of additional work, unforeseen conditions and compensable delays.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, On August 19, 2014, the Municipal Transportation Agency Board of Directors adopted Resolution No. 14-131, which awarded Contract No. 1284, Glen Park Community Plan Implementation Project, to Azul Works Contractors, Inc., in the amount of \$1,224,874, for a term of 90 days; and,

WHEREAS, On October 20, 2014, SFMTA issued a written notice to proceed for the work; and

WHEREAS, The proposed transportation improvements were evaluated in the Glen Park Community Plan Environmental Impact Report (EIR), certified by the San Francisco Planning Commission on November 10, 2011 (Case No. 2005.1004E)—under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Chapter 31 of the S. F. Administrative Code—as part of Motion No. 18490 adopting CEQA Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP); and

WHEREAS, The SFMTA Board of Directors has reviewed the EIR and finds that since certification of the EIR, no changes have occurred in the proposed project or in the circumstances under which the project would be implemented that would cause new significant impacts or a substantial increase in the severity of impacts identified and analyzed in the EIR, and that no new information has emerged that would materially change the analysis of conclusions set forth in the EIR; the actions approved herein would not necessitate implementation or additional or considerably different mitigation measures that those identified in the EIR; and

WHEREAS, Copies of the EIR, CEQA Findings, and MMRP are on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department at 1650 Mission Street in San Francisco, and are incorporated herein by reference; and

WHEREAS, Contract Modification No. 1 is necessary to perform additional work to install concrete work at the BART plaza, make irrigation and landscaping changes, make traffic signal changes, and reconstruct the SE and NE intersection corners sidewalk and curb ramps due to design errors; and

WHEREAS, The Contract Modification also compensates the contractor for extra work due to unforeseen site conditions relating to side sewer laterals, obstructions with underground utilities, and removal of concrete and asphalt concrete; and

WHEREAS, The Contract Modification compensates the contractor for 245 days of unavoidable delays affecting the schedule—relating to delays by PG&E, changes to traffic signal and street lighting poles, community requests, and the additional work; further, the Contract Modification modifies the schedule by an additional 236 days for non-compensable (concurrent) delays; now, therefore, be it

RESOLVED, That SFMTA Board of Directors authorizes the Director of Transportation to execute Modification No. 1, to Contract No. 1284, Glen Park Community Plan Implementation Project, with Azul Works Contractors, Inc., to increase the Contract amount by \$618,376, for a total Contract amount not to exceed \$1,843,250, and extend the Contract term by 481 days, for a total term of 571 days, all as a result of additional work, unforeseen conditions and compensable delays.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of July 19, 2016.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

ENCLOSURE 2

GLEN PARK COMMUNITY PLAN IMPLEMENTATION PROJECT

San Francisco Municipal Railway Contract No. 1284

Project Budget and Financial Plan

Cost	Amount
Planning/Conceptual Engineering Phase Staff Support (SFMTA and Other City Services)	\$165,000
Detail Design Phase Staff Support (SFMTA and Other City Services)	\$590,000
Construction Phase Construction Contract, Contingency, and Staff Support	\$2,977,000
Total Cost	\$3,732,000

Funding	Amount
Federal Transit Administration Funds	\$2,155,000
SF Planning Funds	\$416,000
Local Proposition K	\$330,000
Transportation & Streets Infrastructure Package (TSIP)	\$831,000
Total Funding	\$3,732,000

CONTRACT MODIFICATION NO. 01

San Francisco Municipal Transportation Agency Contract No. 1284

Glen Park Community Plan Implementation Project

**Contractor: Azul Works Inc.
1555, Yosemite Avenue Suite #2
San Francisco, CA 94124**

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The Contract is modified as follows:

1. Scope of Work:

CM-1A	Adjusts the estimated contract bid item quantities to agree with the actual final installed quantities, as listed on the attached Appendix A of the Engineer's Final Quantity Summary. The Final quantity adjustment to all the bid items under the base contract results in a deduction of \$71,276.95 to the base contract value.																														
CM-1B	Compensate the contractor for various extra work to accommodate traffic and pedestrian safety, ADA regulations and Landscaping work due to City-issued Design Changes at the northeast and southeast corners as summarized under Appendix B, Civil & Landscaping Additional work. The various changes, additional costs, and time impacts in Appendix B are summarized below: <table border="1"><thead><tr><th>Subject of Changes</th><th>Category</th><th>Task Orders</th><th>Approved Cost</th><th>Time Impact (Days)</th></tr></thead><tbody><tr><td>Southeast corner sidewalk & curb ramps reconstruction on accelerated schedule.</td><td>Design change</td><td>32, 33, 34</td><td>\$104,202.00</td><td>7</td></tr><tr><td>Northeast corner sidewalk & curb ramps reconstruction.</td><td>Design change</td><td>36</td><td>\$70,000.00</td><td>14</td></tr><tr><td>Additional landscaping & irrigation at additional medians.</td><td>Design change</td><td>26, 27</td><td>\$19,444.00</td><td>14</td></tr><tr><td>Additional concrete & landscaping work at Glen Park BART plaza.</td><td>Design change</td><td>12</td><td>\$28,128.00</td><td>14</td></tr><tr><td>Additional misc. landscaping items.</td><td>Design change</td><td>7, 15-25, 28-</td><td>\$57,036.74</td><td>7</td></tr></tbody></table>	Subject of Changes	Category	Task Orders	Approved Cost	Time Impact (Days)	Southeast corner sidewalk & curb ramps reconstruction on accelerated schedule.	Design change	32, 33, 34	\$104,202.00	7	Northeast corner sidewalk & curb ramps reconstruction.	Design change	36	\$70,000.00	14	Additional landscaping & irrigation at additional medians.	Design change	26, 27	\$19,444.00	14	Additional concrete & landscaping work at Glen Park BART plaza.	Design change	12	\$28,128.00	14	Additional misc. landscaping items.	Design change	7, 15-25, 28-	\$57,036.74	7
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Additional misc. landscaping items.	Design change	7, 15-25, 28-	\$57,036.74	7																											

		31, 35, 37-39		
Total Cost of Work CM-1.B =			\$278,810.74	56

Provide a time extension of **56 Calendar Days** for the time impacts of the work to the critical path of the approved baseline schedule.

CM-1C

Compensate the contractor for various electrical work due to changes to Traffic & Pedestrian Signals, and Street Lights. The additional work includes the installation of additional Traffic Signals, two (2ea) additional 1-A poles, additional conduit installation for Street Lighting and additional miscellaneous electrical items for temporary Traffic Signals. The various changes, additional costs, and time impacts in Appendix B are summarized below:

Description of Changes	Category	Task Orders	Approved Cost	Time Impact (Days)
F&I 5-Section Traffic Signs w/ Associated Wiring & Brackets, F&I Additional Wiring from APS to M-SF Cabinet, Ped Signal change to LED.	Design change	6, 66, 67	\$12,511.00	14
F&I Replacement 15' Type 1-A Pole including R/R Traffic & Pedestrian Signals, Rewiring from (N) Pole to M-SF Cabinet	Design change	68, 73	\$11,282.24	-
Additional Installation of GRS Conduit for Streetlighting from Newly Installed SL Pullbox to Existing SL Pullbox SW due to conflict with SL drawings.	Design change	69, 74, 75	\$14,949.18	7
Total Cost of Work Item CM-1C =			\$38,742.42	21

Provide a time extension of **21 Calendar Days** for the time impacts of this work to the critical path of the approved baseline schedule.

CM-1D

Compensate the contractor for extra work due to various Differing Site and Unforeseen Conditions. The extra work associated with differing site conditions include demolition of unknown underground concrete slabs, unknown utilities in conflict with new utilities and other contract work, and the incorrect type of City-furnished traffic & street light poles delivered by the manufacturer causing additional work to install and maintain temporary poles.

Description of Changes	Category	Task Orders	Approved Cost	Time Impact (Days)
Pothole for New Catchbasin Location (Also see COR 71) Due to Conflicts with (E) Underground Utilities.	Differing Site	40	\$2,411.60	2
Remove / Replace Existing Bosworth Median Deteriorated Curb Various Locations from Diamond to I-280 Entrance for Traffic Safety.	Differing Site	41	\$2,809.04	-
Remove Existing Unforeseen Asphalt from Bosworth Medians from Diamond to Lippard in Order to Complete Medians Contract Work.	Differing Site	42	\$658.70	2
Remove Tree Stump from Bosworth/Brompton West Median in conflict with (e) point of connection for water/irrigation system.	Differing Site	44	\$2,552.00	-
Plumb & Level New Planters by modifying legs approx. 6" due to (e) unusually steep sidewalk conditions.	Differing Site	45	\$2,124.00	-
Install Siding Materials (below sidewalk FG) at 2900 Diamond (Glen Park Market) Due to Deteriorated Façade	Differing Site	46	\$869.88	-
Remove Unforeseen Additional Roadway width along Bus Pad at SE Diamond	Differing Site	47	\$884.08	2
Install Special Dark Sidewalk w/ Sparkle-Grit to Match Existing on Diamond SW (Thai Restaurant) due to uneven (e) grades	Differing Site	48	\$508.20	-

CM-1D
(Con't
)

Description of Changes	Category	Task Orders	Approved Cost	Time Impact (Days)
Delete Catchbasin at SW Due to Unforeseen Conflict with (E) Utilities.	Differing Site	49	\$0.00	-
Demo/Remove Unforeseen Concrete Slab Beneath (E) Sidewalk SE	Differing Site	50	\$2,822.27	2
Demo/Remove Unforeseen Concrete Slab Beneath Existing Sidewalk	Differing Site	3	\$0.00	2
Demo/Remove Unforeseen Thickened Roadway along Bosworth Diamond/Brompton Median	Differing Site	54	\$4,000.00	2
Clean Debris from (E) Sewer Laterals, Additional Excavation, Install Additional Piping	Differing Site	56	\$2,208.77	-
Modify Existing Security Gates SW (At Private Businesses along Diamond SW) in conflict with new sidewalk.	Differing Site	57	\$5,775.00	-
Remove Unforeseen Underground Obstructions in Conflict with (N) Pole / Electrical Trench Locations	Differing Site	58	\$3,039.42	2
Excavate / Install Gateway Element Sign Foundation Piers	Differing Site	4	\$3,668.14	-
Replace Existing Cracked Manhole Frame & Cover on Bosworth (West of the Diamond Cistern Ring)	Differing Site	61	\$1,009.43	-
Replace Existing Damaged Sidewalk Pullboxes SE, SW, NE, NW	Differing Site	64	\$3,434.19	-
Additional Temporary Traffic/Pedestrian Signal Poles needed due to manufacturer's error of new poles.	Differing Site	5	\$14,689.11	105

CM-1D
(Con't
)

Description of Changes	Category	Task Orders	Approved Cost	Time Impact (Days)
Miscellaneous Electrical: Work to Provide Temporary Wiring for Westbound Phase 6 Signals; Provide Temporary TS Pole Westbound Bosworth; Provide Temporary Wiring for Eastbound Phase 2 Signals	Differing Site	70	\$3,239.11	-
Install Temporary Traffic Signal Pullbox on Bosworth Median East of Diamond	Differing Site	71	\$243.83	-
Install Bracing for Temporary TS Pole at Bosworth/Diamond West Median	Differing Site	72	\$153.44	-
Delayed start of the project due to PG&E crews and Community's request (See CM-1.E below)	Compensable Time			49
Total Cost of Work Item CM-1D =			\$57,100.21	168

CM-1E

Compensate the contractor for 245 Calendar Days of field office overhead due to time impacts to critical path of the project approved baseline schedule for the various changes described under CM-1B, CM-1C, and CM-1D, as summarized below:

Scope of Delay	Category	Task Orders	Approved Time Impact (Days)
Delayed start of the project due to PG&E crews and Community's request.	Unforeseen	-	49
Underground Obstructions	Unforeseen	3, 40, 42, 47, 50, 54, 58,	14
TS&SL Poles wrong type delivered by Valmont	Unforeseen	5	105
Southeast corner sidewalk & curb ramps re-construction on accelerated schedule.	Design Changes	32, 33, 34	7
Northeast corner sidewalk & curb ramps re-construction.	Design Changes	36	14
Additional landscaping & irrigation at additional medians.	Design Changes	26, 27	14
Additional concrete & landscaping work at Glen Park BART plaza.	Design Changes	12	14
Additional misc. landscaping items.	Design Changes	7, 15-25, 28-31, 35, 37-39	7
F&I 5-Section Traffic Signs w/ Associated Wiring & Brackets, F&I Additional Wiring from APS to M-SF Cabinet, Ped Signal change to LED.	Design Changes	6, 66, 67	14
F&I Replacement 15' Type 1-A Pole including R/R Traffic & Pedestrian Signals, Rewiring from (N) Pole to M-SF Cabinet	Design Changes	68, 73	-
Additional Installation of GRS Conduit for Streetlighting from Newly Installed SL Pullbox to Existing SL Pullbox SW due to conflict with SL drawings.	Design Changes	69, 74, 75	7
Total Compensable Time Impact Item CM-1.E =			245

2. The following Pay Items are added to the Contract:

CM-1A	Final Quantity Adjustment	Lump Sum	(\$71,276.95)
CM-1B	Civil and Landscaping Design Changes	Lump Sum	\$278,810.74
CM-1C	Electrical & Traffic Signal Changes	Lump Sum	\$38,742.42
CM-1D	Differing Site and Unforeseen Conditions	Lumps Sum	\$57,100.21
CM-1E	Compensable Field Office Overhead For 245 Calendar Days	Lump Sum	\$315,000.00

Total Amount of this Contract Modification: Increase \$618,376.42

Previous Total of Contract: \$1,224,873.75

New Revised Total of

Total Contract Time added by this Contract Modification: 481 Days

Previous Contract Substantial Completion Date: 1/17/15

Current Contract Substantial Completion Date: 5/12/16

3. This Modification is made in accordance with Article 6 and 7 of the Contract General Provisions
4. Except as provided herein all previous terms and conditions of the Contract remain unchanged
5. Contractor acknowledges and agrees that the compensation stated herein for the Additional Work described above shall be full accord and satisfaction of all current and prospective costs incurred in connection with Contractor's performance of the Additional Work under this Contract Modification, without limitation, including any and all markups and overhead. Contractor releases the City from all claims, for which full accord and satisfaction is hereby made, as set forth above. If this modification involves the granting of an extension of time, with or without cost, Contractor releases the City from all claims and costs associated with such extension of time. Such costs may include, but are not limited to, costs for labor, materials, equipment, disruption, lost productivity, escalation, delay, extended overhead, administration and extended performance time.

In Witness Whereof, the parties have executed this Modification in quadruplicate in San Francisco, California as of this _____ day of _____, 2016.

